

REMARKS

The Examiner's outstanding Office Action mailed October 14, 2008 has been carefully considered. Various of the claims have been amended to more clearly set forth the invention.

Claim 30 has been further limited to "an incoming signal requesting information by transmitting requested information using at least one byte of information having a plurality of bits via the transceiver and where the control circuitry simultaneously monitors signals received from the transceiver and determines for each bit of the plurality of bits, using bit arbitration, that a higher priority message is being received and responsive to that determination terminates the transmission before completion of the byte." The transmission of a byte having a plurality of bits and the termination of the transmission before completion of the byte is discussed in paragraphs [0028] and [0045-48] and is shown in FIGs. 3 and 4 of the specification.

None of the cited prior art documents, alone or in combination, as explained below makes obvious any of the pending claims. Therefore, Applicant respectfully requests that the rejections be withdrawn.

Embodiments of the invention incorporate a plurality of wireless units. One of the wireless units can function as a synchronizing unit. A common synchronizing signal, from the synchronizing unit, establishes a higher power operational state followed by a lower power inactive state at each of the units.

A given unit switches from an inactive to an active state for a predetermined period of time before arrival of a synch. signal. Units which embody the invention continuously remain in the active state for at least a predetermined minimal period of time at which point they revert to the inactive state to wait for the next synch signal, see Fig. 2 of the present application and associated text.

Once active, each respective unit responds to the received synch. signal, and determines if data is being received or if data is to be transmitted. Units can communicate directly between one another.

A unit that is to receive data continuously remains in the active mode until the data is received, and then returns to the inactive mode until the period of time before the next synch. signal is to arrive. A unit that is to transmit data transmits and receives at the same time to carry out bit arbitration.

As explained in the application, the highest priority transmission is completed first. All lower priority transmissions are terminated by the respective units. At the end of the highest priority transmission, the remaining units that are to transmit again initiate transmission while carrying out bit arbitration and the next highest priority transmission is completed. Ultimately, all transmissions are seamlessly concluded. Units which have completed their reception or transmission activities then go into the inactive state until shortly before the arrival of the next synch. signal.

The Office Action relies on VanBorkhorst et al. as a primary document in support of the outstanding rejections. Unlike the present invention, the two systems disclosed in VanBorkhorst et al. each are structurally different and operate in a substantially different way than the pending claims.

The embodiment of Figs. 1-7 of VanBorkhorst et al. includes a plurality of devices 20i which do not communicate with one another. They receive messages from access point 16 in a power save mode, see col 4, lines 13-15 of VanBorkhorst et al. No transmissions are described.

Additionally, in both the embodiment of Figs. 1-7 and 8-12 of VanBorkhorst et al., all wireless units, such as 20-i of Fig. 1 and 220-i of Fig. 8 include a doze timer such as 46, Fig. 2

and 246, Fig. 8. On receipt of a synch signal, the doze timer switches the respective unit to a low power, inactive state. In this regard, see col 3 line 65- col 4 line 15 relative to the first embodiment and col. 8, lines 5-35 along with Fig. 10 of VanBorkhorst et al. relative to the second embodiment.

As explained by VanBorkhorst et al.:

“The reception of a PSYNC message at stations 220 other than the master station triggers the doze timer 246 (FIG.9) at those stations to initiate a doze interval of low power operation... The start of a SYNC interval and the low-power period is the detection of the PSYNC message. The duration of the low-power intervals is determined by the doze timer 246 providing doze intervals 290-1, 290-2... The doze timer 246 is triggered after every PSYNC message reception. When the doze timer 246 expires, the station switches to the awake state and waits for messages to be received.” (VanBorkhorst et al., col 8, lines 16-45)

Thus, the units of Fig. 8 of VanBorkhorst et al. always switch to the low power state on receipt of a synch. signal, such as signal PSYNC-1, -2, -3 and -4 of Fig. 10. This is quite unlike the pending claims.

In the Office Action supplemental documents such as White, Lucas et al., O’Scolai were combined with the disclosure relative to Fig. 8 of VanBorkhorst et al. to address the admitted deficiencies therein. However, none of the supplemental documents, alone or in combination addresses the above noted deficiencies of VanBorkhorst et al. so as to make any of the pending claims obvious. Indeed, the only disclosure of structures and methods as claimed comes from the present application. Use of an applicant’s disclosure as a basis for an obviousness rejection

represents an improper form of hindsight reconstruction and cannot be a basis a proper *prima facie* case of obviousness.

Applicant submits that in view of the above noted deficiencies in the cited prior art that the subject application is in condition for allowance and respectfully requests allowance of the application, including the newly added claims.

Should the Examiner be of the opinion that a telephone conference would expedite the prosecution hereof, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, such as a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,

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